

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Plankinton School District
Accountability Review - Monitoring Report 2012-2013**

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Dates of On Site Visit: March 11, 2013

Date of Report: April 8, 2013

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:22:03 Certified child

A certified child is a child in need of special education or special education and related services formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individual with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3-21 inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

ARSD 24:05:25:04.03. Determination of eligibility. Upon completing the administration of assessments and other evaluation measures as required by this chapter, the individual education program team and other qualified individuals required by § 24:05:25:04.02 shall determine whether the student is a student with a disability, and shall determine the educational needs of the child, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in ESEA, or lack of appropriate instruction in math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01.

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include: (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:

(a) To advance appropriately toward attaining the annual goals; (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;

24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

(1) A statement of the student's present levels of academic achievement and functional performance, including:

- (a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or
- (b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities;

(2) A statement of measurable annual goals, including academic and functional goals, designed to:

- (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
- (b) Meet each of the student's other educational needs that result from the student's disability;

For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives;

(3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student:

- (a) To advance appropriately toward attaining the annual goals;
- (b) To be involved and progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
- (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;

(4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;

(5) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:

- (a) The student cannot participate in the regular assessment; and
- (b) The particular alternate assessment selected is appropriate for the student;

(6) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications;

(7) A description of how the student's progress toward the annual goals described in this section will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

| Prong 1: Correct each individual case of noncompliance | | |
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| Timeline for Completion: (50) calendars day from the report date listed above. | | |
| Student Files # 13, 16: These students were reported on child count under the disability category of Emotional Disturbance (505). Their IEPs and MDT's listed Specific Learning Disability (525). The December 1, 2011 child count did not report accurate information on eligible children to the Office of Data Collection. Each of these students qualified under a different category than listed on the child count. Students # 12, 14, 15 were not on an active IEP on Dec. 11, 2011, but were reported to the Office of Data Collection for the December 1, 2011 child count. Students 12, 14 were reported under the category of Emotional Disturbance (505). Student 15 was under the category of Other Health Impaired (555). | Required Action: <ol style="list-style-type: none"> 1) The district must develop child count procedures to assure accurate child count information is submitted to the Office of Data Collection. | Data To Be Submitted: <ol style="list-style-type: none"> 1) A copy of the procedures must be submitted to SEP. 2) A copy of the December 2012 child count will be submitted to verify correct data was submitted to the Office of Data Collection. |
| Date Data Submitted: Status: | | |

Corrective Action:

| Prong 1: Correct each individual case of noncompliance | | |
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| Timeline for Completion: (50) calendars day from the report date listed above. | | |
| Student: | Required Action: | Data To Be Submitted: |
| Student File # 1: This student was reported on | Skill based assessments must be given for each area the | 1. The prior notice/consent for |

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| child count under the category of Developmental Delay (570). No MDT was completed to determine eligibility. Skill based assessment used was the BDI the same evaluation used to determine eligibility. In the Present Levels of Academic Achievement and Functional Performance (PLAAFs) the effects of involvement in the regular classroom was not addressed. | student qualifies for. Evaluation reports must be written and copies provided to parents. The IEP team must meet to determine eligibility and amend the current IEP, or write a new IEP to reflect current evaluation and eligibility data. | <p>evaluation</p> <ol style="list-style-type: none"> 2. Copies of all the evaluation reports including skill based assessment. 3. Copy of the prior notice for the eligibility/IEP meeting 4. Copy of the MDT/eligibility document if needed and; 5. Copy of the IEP |
| Date Data Submitted: Status: | | |

| <u>Prong 1: Correct each individual case of noncompliance</u> | | |
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| Timeline for Completion: (50) calendars day from the report date listed above. | | |
| Student: | Required Action: | Data To Be Submitted: |
| Student File # 2: This student was reported on child count under the category of Emotional Disturbance (505). In the description of services there are no specific services listed. | The IEP team will meet and amend the IEP to show direct instruction broken down into specific skill areas in the areas of disability. | <ol style="list-style-type: none"> 1. IEP meting notice 2. IEP addendum documentation Prior notice for the meeting. |
| Date Data Submitted: Status: | | |

| <u>Prong 1: Correct each individual case of noncompliance</u> | | |
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| Timeline for Completion: (50) calendars day from the report date listed above. | | |
| Student: | Required Action: | Data To Be Submitted: |
| Student File # 4: This student was reported on child count under the category of Other Health Impaired (555). There was no diagnosis for ADHD. The BOT was given without permission. In the Present Levels of Academic Achievement and Functional Performance (PLAAFs) the effects of the disability did not address the disability of behaviors. The description of services did not address the disability of behaviors. | The team will meet and acquire a diagnosis for ADHD. The team will write a new MDT and amend the current IEP to show how the disability affects involvement in the regular classroom, and services for behavior. | <ol style="list-style-type: none"> 1. IEP meting notice 2. MDT 3. IEP addendum documentation 4. Prior notice for the meeting. |
| Date Data Submitted: | | |

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| Status: |
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Prong 1: Correct each individual case of noncompliance**Timeline for Completion: (50) calendars day from the report date listed above.**

| Student: | Required Action: | Data To Be Submitted: |
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| Student File # 5: This student was reported on child count under the category of Emotional Disturbance (505). There were no skill based assessments completed in the area of behaviors and the description of services did not list behaviors. | <p>The IEP team will conduct skill based evaluations in the area of behaviors.</p> <p>The IEP team will meet and amend the IEP to show direct instruction broken down into specific skill areas in the areas of disability.</p> | <ol style="list-style-type: none"> 1. The prior notice/consent for evaluation 2. Copies of all the evaluation reports including skill based assessment. 3. Copy of the prior notice for the eligibility/IEP meeting 4. Copy of the MDT/eligibility document if needed and; 5. Copy of the IEP |
| Date Data Submitted: | | |
| Status: | | |

Prong 1: Correct each individual case of noncompliance**Timeline for Completion: (50) calendars day from the report date listed above.**

| Student: | Required Action: | Data To Be Submitted: |
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| Student File # 6: This student was reported on child count under the category of Specific Learning Disability (525). The description of services were not broken down. Reading and written expression were together. | The IEP team will meet and amend the IEP to show direct instruction broken down into specific skill areas in the areas of disability. | <ol style="list-style-type: none"> 1. IEP meeting notice 2. IEP addendum documentation 3. Prior notice for the meeting. |
| Date Data Submitted: | | |
| Status: | | |

Prong 1: Correct each individual case of noncompliance

| Timeline for Completion: (50) calendars day from the report date listed above. | | |
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| Student: | Required Action: | Data To Be Submitted: |
| Student File # 8: This student was reported on child count under the category of Other Health Impaired (555). The prior notice did not list the diagnosis. The last page of the MDT was not completed for eligibility determination. In the Present Levels of Academic Achievement and Functional Performance (PLAAFs) Math is listed; however there is nothing about Math listed in the report, and there are goals for math. There are no goals for behavior, and there are no services listed in the description of services. | The team will meet complete new evaluations if needed and determine eligibility. Write a new MDT. They will write a new IEP to show goals in the areas of disability and how the disability affects involvement in the regular classroom, and services for behavior. | <ol style="list-style-type: none"> 1. The prior notice/consent for evaluation 2. Copies of all the evaluation reports including skill based assessment and documentation of medical records. 3. Copy of the prior notice for the eligibility/IEP meeting 4. Copy of the MDT/eligibility document if needed and; 5. Copy of the IEP |
| Date Data Submitted: Status: | | |

| Prong 1: Correct each individual case of noncompliance | | |
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| Timeline for Completion: (50) calendars day from the report date listed above. | | |
| Student: | Required Action: | Data To Be Submitted: |
| Student File # 9: This student was reported on child count under the category of Hearing Loss (515). Eligibility does not show educational impact to support the disability. The student is receiving reading, math and written expression there were no skill based evaluations completed for these areas. In the Present Levels of Academic Achievement and Functional Performance (PLAAFs) hearing loss is not addressed. In the description of services hearing loss is not addressed. | The district must acquire consent to conduct additional evaluation to ensure a comprehensive evaluation is completed for each category of suspected disability for each student. Skill based assessments must be given for each area the student qualifies for. Evaluation reports must be written and copies provided to parents. The IEP team must meet to determine eligibility and show educational impact for hearing loss. Amend the current IEP, or write a new IEP to reflect current evaluation and eligibility data. Complete the description of services correctly. | <ol style="list-style-type: none"> 1. The prior notice/consent for evaluation 2. Copies of all the evaluation reports including skill based assessment and documentation of medical records. 3. Copy of the prior notice for the eligibility/IEP meeting 4. Copy of the MDT/eligibility document if needed and; 5. Copy of the IEP |
| Date Data Submitted: Status: | | |

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:

The district must review and update its policy, procedure and practice regarding the following:

- Defining the team who will determine if evaluation is necessary and determination of suspected category(s) of disability.
- Individuals responsible for the completion of prior notice/consent and evaluations needed for the purpose of determining eligibility.
- Development of evaluation reports that must be provided to parents including administering and reporting skill based assessment.
- Determining eligibility and completing the eligibility documents.
- Developing an IEP that provides educational benefit.

The district will receive technical assistance regarding these issues noted in this report.

Data To Be Submitted:

Each teacher who was the case manager for these students will submit an initial or reevaluation with the following documentation:

1. Referral document if applicable
2. The prior notice/consent for evaluation
3. Copies of all the evaluation reports including skill based assessment and transition if applicable
4. Copy of the prior notice for the eligibility/IEP meeting/transfer
5. Copy of the MDT/eligibility document and;
6. Copy of the IEP

The training date, instructor and participants will be documented and submitted to the team leader to verify technical assistance was provided.

Target Date for Completion: March, 2014

Date - Status Report:

PERFORMANCE INDICATORS

Plankinton School District

Indicator 3: Participation and Performance on Statewide Assessments: Participation and performance of children with disabilities on Statewide Assessments.

C) Did the district meet the proficiency target for the subgroup of students with disabilities in the statewide assessment?

Grades K –8

State Target 69% or higher

District Rate: 46.67%

District Response:

Students on IEP's continue to perform at the basic level in the area of reading. It is our goal to raise the number of students who are on IEP's scoring in the proficient or above level. Some of the interventions in place include RtI, Dibels (benchmark), addressing the need within the IEP and providing assistance where needed.

Indicator 5: Placement of Children Age 6-21

A) Percent of children with IEPs inside the regular class 80% or more of the day.

State Target: 65% or higher

District Rate: 89.8%

District Response:

Plankinton School District strives to provide students within the district the least restrictive environment. We work with teachers, parents and students to keep them in the classroom as much as possible.